

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

FAIRBANKS CAPITAL CORP., as)
SERVICER FOR BANK ONE, N.A. f/k/a)
THE FIRST NATIONAL BANK OF CHICAGO,)
as TRUSTEE UNDER THE POOLING AND)
SERVICING AGREEMENT DATED AS OF)
SEPTEMBER 1, 1998, SERIES 1998-B,)

Plaintiff,)

v.)

JAMES MORIN, NANCY MORIN,)
THERESA MORIN, UNITED STATES OF)
AMERICA, and VERIZON YELLOW PAGES)
COMPANY f/k/a BELL ATLANTIC YELLOW)
PAGES CO. f/k/a NYNEX INFOR.,)

Defendants.)

Civil No. 04-10146-MLW

Formerly
No. 294558
Suffolk County Land Court

UNITED STATES' MOTION TO DISMISS THE UNITED STATES AS A PARTY

The United States, by its undersigned counsel, hereby moves this Court to dismiss the United States as a party in the above-captioned caption. As grounds for this motion, the United States asserts that it filed a disclaimer of interest with this Court on or about February 19, 2004, and, as a result, the United States has no interest in the property at issue in this proceeding. A memorandum is not attached to this motion as it is not a motion adverse to the interests of any party, and no supporting case law or reasons are necessary. Furthermore, no certification is

required under Local Rule 7.1 as there is no issue to resolve with any other party; the dismissal of the United States is not adverse to any party.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

/s/ Lydia D. Bottome
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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing United States' Motion to Dismiss the United States has been made upon the following by depositing a copy in the United States mail, postage prepaid, this 2nd day of March, 2004:

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